

To: Helbick, Mike (Baldwin)[Mike_Helbick@baldwin.senate.gov]; Deamer, Eileen[deamer.eileen@epa.gov]; Beckmann, Ronna Erin[beckmann.ronna@epa.gov]
Cc: Thomas, Colleene (Baldwin)[Colleene_Thomas@baldwin.senate.gov]
From: Fortin, Denise
Sent: Wed 11/30/2016 9:37:24 PM
Subject: RE: Sen. Baldwin: Inquiry -- Carlson
AX-17-000-0885 Reply to William G. Boermer re Back Forty Mine, Menominee County, MI with enclosures and incoming letter.pdf
Aquila Back Forty 8-15-16 EPA 404 Comments.pdf
EPA comments on MDEQ draft air permit for Back Forty Mine 10-26-16.pdf
MI0059945 Aquila Back 40 EPA comment letter on draft NPDES permit 110216.pdf

Thanks, Mike. I hope you had a great holiday, too!

I've spoken with staff in both our NEPA and Water Divisions and EPA does not have a direct role in this project. All permit decisions rest with MDEQ or MI DNR. The federal Clean Water Act permit responsibilities under NPDES, Section 401 and Section 404 are exercised by MDEQ with EPA oversight. Likewise, MDEQ has federal Clean Air Act permit responsibilities with EPA oversight. For your information, I've attached EPA's recent oversight comment letters to MDEQ on NPDES, 404, and air.

Also, there are no federal agency decisions on this mine project that triggers NEPA. I've attached a reply to a letter from a citizen who requested an environmental impact statement be prepared under NEPA. This letter includes cc's to MDEQ staff who would be the appropriate state contacts for this mine.

Hope this is helpful. Please let me know if you need anything else.

Thanks,

Denise

Denise Fortin

Congressional Liaison

Office of Regional Administrator

U.S. Environmental Protection Agency

312-886-9859

From: Helbick, Mike (Baldwin) [mailto:Mike_Helbick@baldwin.senate.gov]
Sent: Wednesday, November 30, 2016 10:30 AM
To: Fortin, Denise <Fortin.Denise@epa.gov>; Deamer, Eileen <deamer.eileen@epa.gov>; Beckmann, Ronna Erin <beckmann.ronna@epa.gov>
Cc: Thomas, Colleene (Baldwin) <Colleene_Thomas@baldwin.senate.gov>
Subject: Sen. Baldwin: Inquiry -- Carlson

Denise and all,

I hope you had a great Thanksgiving. ☺

Attached is a constituent's concerns regarding the Back Forty Gold Mine in MI. A couple quick questions:

- 1) What, if any, role does EPA play in this permitting process (is there any sign-off at all needed by EPA on this permitting or otherwise)?
- 2) How may concerned constituents object to permitting via EPA (and also MI DEQ / DNR, if you happen to know – or if you can provide contacts for relevant folks in those agencies, that would be great)?

Thank you very much,

Mike

Mike Helbick

Office of U.S. Senator Tammy Baldwin

633 W. Wisconsin Avenue | Suite 1920

Milwaukee, Wisconsin 53203

Mike_Helbick@baldwin.senate.gov

(414) 297-4451 main | (800) 247-5645 toll free

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